

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION  
OF THE KINGDOM OF DENMARK  
(SKATTEFORVALTNINGEN) TAX  
REFUND SCHEME LITIGATION,

This document relates to 1:18-cv-05053-LAK

MASTER DOCKET

Case No. 1:18-md-02865-LAK

**NOTICE OF THIRD-PARTY DEFENDANT  
ED&F MAN CAPITAL MARKETS, LTD.'S  
MOTION TO DISMISS THE THIRD-PARTY COMPLAINT**

**PLEASE TAKE NOTICE**, that upon the accompanying Declaration of Kristen G. Niven, dated December 6, 2019, and all of the exhibits attached thereto; and upon the accompanying Memorandum of Law, dated December 6, 2019; and upon all prior pleadings and proceedings had herein, Third-Party Defendant ED&F Man Capital Markets Limited (“ED&F Man”), through its undersigned counsel, will move this Court before the Honorable Lewis A. Kaplan at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 21B, at a date and time to be determined by the court, for an order dismissing Defendants-Third Party Plaintiffs’ Amended Third Party Complaint against ED&F Man with prejudice pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure or for *forum non conveniens*, or in the alternative staying all proceedings against ED&F Man, and for such other and further relief as the Court deems just and proper. ED&F Man respectfully requests oral argument regarding this motion.

Dated: December 6, 2019  
New York, New York

**AKERMAN LLP**

By: /s/ Brian S. Fraser

Brian S. Fraser

Kristen G. Niven

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TO: All Counsel of Record (via ECF)